

### **60.530 TYPE III REVIEW PROCEDURE:**

The Type III Procedure includes review of a proposed application at a public hearing(s). Three hearing processes are established, identified as Phase I, Phase II or Phase III Hearing Processes. Ordinance regulations for applications subject to the Type III Review Procedure will always identify which phase(s) of review will be conducted in consideration of the application.

60.531 **Phase I Hearing Process:** The Phase I Hearing Process shall be as set forth below:

- A. Following the zoning administrator's acceptance of a completed development permit application, the zoning administrator shall, within three days, transmit one copy of the application, or appropriate parts of the application, to each referral agency for review and comment. If referral agencies do not comment within eight days, the referral agency will be presumed to have no objection.
- B. The zoning administrator shall schedule a public hearing pursuant to Section [60.600](#) before the designated review body. Notice of the hearing must be sent to those persons designed to receive notice by the requirements for each type of application in Chapter 61. The hearing must be scheduled within 16 days after acceptance of the application by the zoning administrator.
- C. Prior to the scheduled public hearing before the designated review body, the zoning administrator shall review the proposed application and prepare a report analyzing the advantages and disadvantages of the proposal. The zoning administrator shall recommend to the designated review body, based upon all of the facts and circumstances, the comprehensive plan (if the application involves a change in a land use ordinance or map, or if it involves a change in standards or street classification from those presented in the Thoroughfare Plan element of the comprehensive plan) and other planning information, the approval, denial or modification of the application. A copy of the report must be transmitted to the applicant and to the professional firm representing the applicant, if any.
- D. Following the close of the public hearing, the designated review body shall file a report within 25 days summarizing the findings of the public hearing and recommending the approval, approval with conditions or denial of the application. The designated review body shall take action by majority vote of its members present when the public hearing was held. Within ten days, the zoning administrator shall transmit a copy of the report to the Council for their information.